

REMARKS

Claims 14-16, 18 and 20-29 are pending in the above-identified application. Support for the changes to claims 14 and 20 is found in the paragraph bridging pages 5-6 of the specification.

It is respectfully requested that the above claim changes be entered of record as Applicant amended the claims in response to the new grounds of rejection, such that Applicant could not have reasonably been expected to make such changes earlier. Also, no new claims were presented. Thus, it is submitted that the present claim changes are appropriate under 37 CFR 1.116(b) and at least place the present claims into better form for appeal, should an appeal be necessary.

Issues under 35 USC 103(a)

Claims 14-16 and 18-29 have been rejected under 35 USC 103(a) as being unpatentable over Sobkin '600 (US 6,555,600) in view of Lozano '599 (US 6,033,599). Claim 19 has been cancelled. It is noted that the Final Office Action of April 23, 2009 indicates that the rejected claims are "14-16, 18", but that this appears to be a typographical error. It is requested that this rejection be clarified in the next communication issued by the Patent Examiner.

These rejections are traversed based on the following reasons below.

Present Invention and Its Advantages

The present invention is directed to a volatile corrosion inhibitor, as well as a molding material containing the same, -which includes an anticorrosive component along with other components. The anticorrosive component is an alkali metal salt or alkaline earth metal salt of zinc salt of benzotriazol or of methylbenzotriazol, or another of the alternative components recited in claim 14. Embodiments of the present invention exhibit unexpected, advantageously improved properties as evidenced by the comparative test results described at pages 15-22 of the present specification and summarized in Tables 1-3. As is evident from the test results, Examples 1-7 (present invention) exhibited significantly improved properties, such as anti-corrosive properties, over the other comparative examples which do not include.

In addition to the above, the comparative test results show that if the non-metal salt forms of benzotriazol or methylbenzotriazol are kneaded into a thermoplastic resin at a temperature of not lower than 100°C and subsequently molded, disadvantageous molding defects arise in the molding process because of problematic melting as explained at page3, lines 15 to 28, and page 6, lines 1 to 7, of specification. In contrast, the present invention employs metal salts of benzotriazol or methylbenzotriazol to advantageously reduce molding defects. This is apparent from results summarized in Table 3 of the specification. As Examples 11-13 show, if benzotriazol or methylbenzotriazol are used as the anticorrosive component for nonferrous metals, the properties of the resulting film becomes poor. In contrast, when metal salts thereof are used as the anticorrosive component for nonferrous metals, the properties of the resulting film advantageously improve to “good” as shown by Example 5.

Distinctions over Cited References

Sobkin ‘600 discloses corrosion inhibiting thermoplastic alloys which may include benzotriazole as a component therein. Sobkin ‘600 fails to disclose or suggest the use of a metal salt of benzotriazole, or the use of the other alternative anticorrosive components employed in the claimed invention.

Lozano ‘599 discloses a corrosion inhibiting composition which includes alkali metal nitrite or alkaline earth metal nitrite, alkali metal benzoate or alkaline earth metal benzoate, and alkali metal molybdate or alkaline earth metal molybdate. Lozano ‘599 fails to disclose or suggest the use benzotriazol or methylbenzotriazol, let alone the use of metal salts of benzotriazol or methylbenzotriazol, or the other recited alternative anticorrosive components, employed in the claimed invention.

Both Sobkin ‘600 and Lozano ‘599 fail to recognize the unexpected, advantageous properties exhibited by the present invention as evidenced by the comparative test results discussed above. Thus, significant patentable distinctions exist over both of these references. Further, even assuming that prima facie obviousness has been properly alleged, such obviousness has been rebutted by the evidence of unexpected, advantageous properties. Consequently, the above rejection must be withdrawn.

It is submitted for the reasons above that the present claims define patentable subject matter such that this application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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